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Technology Center 2100

NO. 304 P. 2/5

PATENT APPLICATION  
09/353,938

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christopher M. Jagers et al.  
Serial No.: 09/353,938  
Date Filed: July 15, 1999  
Examiner: Thai, Xuan Marian  
Group Art Unit: 2181  
Title: *Modular Bay Enclosure Removable Card Method and System*

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV14176553US addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on the date shown below.

*Shannon Judice*  
Shannon Judice

*7/15/02*  
Date

Dear Sir:

**DECLARATION OF CHRISTOPHER M. JAGGERS**  
**SUBMITTED PURSUANT TO 37 C.F.R. § 1.131**

I, Christopher M. Jagers, hereby declare and state that:

1. I am a co-inventor of the subject matter of the above-referenced application entitled *Modular Bay Enclosure Removable Card Method and System*, filed on July 15, 1999 (the "Application").

2. The Examiner has rejected Claims 1-4, 6-18, 20-30, and 32-53 under 35 U.S.C. § 102(e) in an Office Action mailed March 13, 2002 based on United States Application Serial No. 09/335,587 filed on June 18, 1999 and issued as Patent No. 6,215,656 to Sean P. O'Neal et al. on April 10, 2001 ("O'Neal et al.").

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PATENT APPLICATION  
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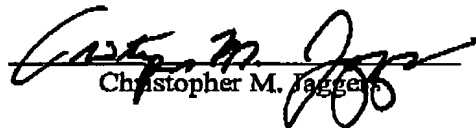
3. In the same Office Action, the Examiner has rejected Claims 5, 19, and 31 under 35 U.S.C. § 103(a) as being unpatentable over O'Neal et al. in view of United States Patent No. 6,067,583 issued to Timothy G. Gilbert on May 23, 2000 ("Gilbert").

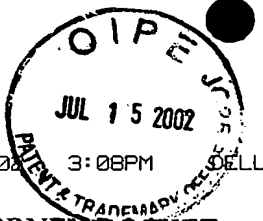
4. The present invention was conceived and reduced to practice on or prior to May 22, 1999, approximately one month prior to the filing date of O'Neal et al.

5. Such conception and reduction to practice is evidenced by the Dell Invention Disclosure Form attached as Exhibit A. The invention disclosure form was duly submitted using the electronic process described on Page 1 of the form. The disclosure was signed through electronic signature by two witnesses, my co-inventor, Jay Matthew Zill, and myself. It was duly received by Dell legal personnel and assigned an internal invention disclosure number, which indicates that the receiving legal personnel independently verified the date of receipt. These events were all in accordance with standard procedure in place at Dell Computer Corporation for invention disclosure and independent verification thereof by at least one witness and Dell legal personnel.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Further, I declare that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Date: 7/15/2002

  
Christopher M. Jaggan



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*Shannon Judice*  
Shannon Judice

*7/15/02*  
Date

Dear Sir:

**DECLARATION OF JAY MATTHEW ZILL**  
**SUBMITTED PURSUANT TO 37 C.F.R. § 1.131**

I, Jay Matthew Zill, hereby declare and state that:

1. I am a co-inventor of the subject matter of the above-referenced application entitled *Modular Bay Enclosure Removable Card Method and System*, filed on July 15, 1999 (the "Application").

2. The Examiner has rejected Claims 1-4, 6-18, 20-30, and 32-53 under 35 U.S.C. § 102(e) in an Office Action mailed March 13, 2002 based on United States Application Serial No. 09/335,587 filed on June 18, 1999 and issued as Patent No. 6,215,656 to Sean P. O'Neal et al. on April 10, 2001 ("O'Neal et al.").

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Date: 7/15/02

  
Jay Matthew Zill